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From: CN=Kayla Marsh/OU=DC/O=USEPA/C=US
Sent: Fri 10/19/2012 2:14:13 PM
Subject: Energywire: Industry slams EPA for 'flawed' Pavillion method

EnergyWire

Energywire: Industry slams EPA for 'flawed' Pavillion method
By Ellen M. Gilmer, E&E reporter
Posted Friday, October 19

The oil and gas industry's top trade group has joined in the scramble to interpret new data in an ongoing investigation of groundwater contamination and hydraulic fracturing near Pavillion, Wyo.

The American Petroleum Institute's upstream director, Erik Milito, said yesterday that groundwater testing from the U.S. Geological Survey (USGS) is inconsistent with results previously released by U.S. EPA, and that the discrepancy is a signal of flawed EPA practices.

"EPA did not follow a transparent, peer-reviewed process that might have helped guide the agency in the use of proven and tested scientific practices," Milito said in a call with reporters.

Per an agreement with Wyoming officials, USGS released the groundwater testing data last month with no analysis. EPA said the results confirmed that fracking had contaminated groundwater in the Pavillion area, a claim that was promptly disputed by Encana Corp., whose drilling is the subject of the investigation.

The agency announced last week that it was extending the public comment period on the findings to Jan. 15, which will be followed by a peer-review meeting.

The trouble began in 2005, when homeowners near the oil field began complaining about spoiled water. EPA drilled two monitoring wells to investigate and announced last year that it had found frack fluid not in drinking water, but in deep groundwater.

But when USGS tried to sample the same two monitoring wells, it could not get data from one because of low flow rates; the agency's "standard practice" is to avoid sampling from low-flow wells. That was MW02, the well where EPA had found high levels of benzene last year (EnergyWire, Oct. 12).

EPA defended its own use of the low-flow well, saying last week that such wells simply require different sampling methods. In the better-functioning well, MW01, USGS did not find xylene, isopropanol, acetone and some other compounds EPA had reported finding in the monitoring well.

Broader impact

API's Milito took criticism of EPA a step further by saying EPA's handling of the Pavillion investigation cast

doubt on a nationwide study of fracking's impact on the environment.
"If EPA thinks its investigation at Pavillion has produced scientifically useful information," he said, "then it may proceed in the same inexpert way at other testing sites, assume it is getting additional useful information and employ that information to justify changes in public policy."
Milito said the Pavillion study was important because its results would help shape public opinion of oil and gas development.
"The industry understands that it must do things right," he said. "We do not object to EPA studying the issue, but a bad study could be counterproductive."
In an emailed statement yesterday, EPA maintained its stance that the new data are "generally consistent" with the monitoring data from last year.